

United States District Court
for the Eastern District of Virginia
Norfolk Division

Joelle Angel et.al.:

Dana Bassett, Jeffrey Bassett, Rozelynd Bright,
 Cynthia Parker, Kristina Vinson, Samuel Ward &
 Michael Williams,

Plaintiffs (Pro Se)
 (Individually & Collectively)

V.

Charlestowne Condo Association, Inc.,
 Atlantic Community Management, Corp.,
 AMAG, LLC and
 Smink, Thomas & Associates, P.C., d/b/a
 Thomas, Adams & Associates, P.C.

Defendants.
 (Individually & Collectively)

Case No. 2:24 cv 54

28 USC §§ 1331; 1441(a); 1453(b) & 1446.

Federal Trade Commission Act [15 USC §§ 41-58]

Fair Debt Collection Practices Act [15 USC § 1692 et. seq.]

Class Action (28 USC § 1711)
 Rule 23 F.R.Civ.P 15, 19 & 10

Jury Trial demanded; Rule 81(c)

Plaintiffs' 1st Amended "Notice of REMOVAL of Action(s)"
(AFFIDAVIT)

Now come the [pro se] Plaintiffs, pursuant to the Federal Rules of Civil Procedure, moving this Court to amend their "Notice of Removal of Action(s)," with:

- "required joinder of parties,"
- Photos of condo unit damage (defendants' liability),
- Defendants' inflated attorney's fees:

Standards of Review

I. The [pro se] Plaintiffs amend their "Notice of Removal of Action(s) as follows:"

- A. The Plaintiffs amend this Notice with "*required joinder of parties*" pursuant to the Federal Rules of Civil Procedure:

Additional Plaintiffs

Dana **Bassett**

Jeffrey **Bassett**

Fed. Rules Civ. P. 15(a): Amended and Supplemental Pleadings
 (Paraphrase)

If the pleading is one to which no responsive pleading is permitted, and the action has not been placed on the trial calendar, a party may amend any time within 21 days of service.

Fed. Rules Civ. P. 19: Required Joinder of Parties

(a) Persons Required to Be Joined if Feasible.

- (1) *Required Party*. A person who is subject to service of process and whose joinder will not deprive the court of subject-matter jurisdiction must be joined as a party if:

- (A) in that person's absence the court cannot accord complete relief among existing parties; or
- (B) that person claims an interest relating to the subject of the action and is so situated that disposing of the action in the person's absence may:
 - (i) as a practical matter impair or impeded the person's ability to protect the interest;

Fed. Rules Civ. P. 20: Permissive Joinder of Parties

(a) Persons Who May Join or Be Joined.

- (1) *Plaintiffs*. Persons may join in one action as plaintiffs if:

- (A) they assert any right to relief jointly, severally or in the alternative with respect to or arising out of the same transaction, occurrence, or series of transactions or occurrences; and
- (B) any question of law or fact common to all plaintiffs will arise in the action.

- B. All Plaintiffs amend this Notice with attached photos of damage to their and other Charlestowne condo units and the repairs the Plaintiffs were forced to pay for:
(see Attached Photos)

PHOTOS

(Interior and Exterior Damage & Repairs)

Plaintiff	Angel	Damage	(1631 Darren Cir.)	Paid-for-Repairs
		1. Paint Peeling over Door		1. New Roof & Painted Panel.
		2. Cracked Foundation		2. Replaced Metal Trim / Covering.
				3. Repaired Common Area Fence.
Plaintiffs	Bassett		(1582 Darren Cir.)	
		1. Leaking Roof Ceiling Damage.		
		2. Leaking Roof Window Mold & Damage		
		3. Brick Molding Rot & Deterioration.		
Plaintiffs	Bright & Williams		(4652 Greenwood Dr.)	
		1. Damaged Gutters (a) & (b).		1. Replaced back Storm Door.
		2. Missing Soffit.		
		3. Damaged Electrical Conduit.		
Plaintiff	Parker		(1625 Darren Cir.)	
		1. Exterior Hole—Squirrel entrance.		
		2. Broken Window pane.		
Plaintiff	Vinson		(1657 Darren Cir.)	
				1. New Roof & front Singles.
				2. New Back Fence & New Gutters.
Plaintiff	Ward		(1570 Darren Cir.)	
		1. [front] Wall Rot.		1. Repaired [front] Wall

Additional Charlestowne Condo-unit Damage

1. Torn Tarp [2-years old] on Worn-out Roof --1647 Darren Circle.
2. Water Damaged Ceiling [from Leaking Roof] – 1647 Darren Circle.
3. Tarp on Damaged Roof 1563 Darren Circle.
4. Missing [front] Gutter – 4650 Greenwood Dr.
5. Detached [back] Gutter – 1656 Darren Circle.
6. Fallen [front] Gutter & Broken Window – 1650 Darren Circle.
7. Worn-out Soffit –1518 Darren Circle.
8. Boarded-up Community Center – & Damaged Garage Door.
9. Broken Fence [common elements] – (beside 1669 Darren Cir.).
10. Broken Fence [common elements] – (behind 1633 Darren Cir.).
11. Broken Fence & Trashed Unit – (behind 1555 & 1557 Darren Cir.).

Condo w/ 2 Squirrel Entrances & Unit Damage –1653 Darren Cir.

- Small Hole (Squirrel entrance) top Left
- Large Hole (Squirrel entrance) top Right.

- c. The foregoing deprivation renders all Plaintiffs “similarly situated.”
- d. The Plaintiffs have been defrauded, personally injured, and our homes have depreciated to half of the purchase price, due to the neglect and liability of the:
- Condo Association
 - Outgoing
 - and
 - Incoming Association management firms.

April 12, 2023--the Association’s [Master policy] insurance broker commented (to Co-Plaintiff Angel):

“Of the 400 condominiums that we [Beskin-Divers] insure, Charlestowne looks the absolute worst!”

II. As all current plaintiffs, Plaintiffs Dana and Jeffrey Bassett assert their rights to relief arising out of the same series of occurrences and transactions:

- A. The same questions of law and fact are common to all Plaintiffs:
1. The **Federal Trade Commission Act** [15 USC §§ 41-58]; Va. Consumer Protection Act; Virginia Condominium Act; and the Condo Bylaws:
 - The Unit Owners are suffering depreciation of their homes due to breach of contract and refusal to do contracted repairs, yet forced to pay condo fees to a sham condo Assoc.
 - The Federal Trade Commission Act enables Plaintiffs to:
“seek monetary redress and other relief for conduct injurious to consumers.”
 2. The **Fair Debt Collection Practices Act** [15 USC § 1692 et. seq.] – using *“unfair, abusive and deceptive practices and statements”* to sue the condo Unit Owners for more attorney's fees (33%) than are justified by court order or the amount stated in Debt-collector's Letter (25%) on June 5, 2023.
- B. The “required-joined” Plaintiffs are owner-occupant, condo Unit Owners in the Charlestowne Condominiums section of Portsmouth, Va. Location: 1582 Darren Circle / Portsmouth, Va. 23701.

III. Plaintiffs Bassett have been defrauded and personally injured by the Debt-collector law firm, via:

- A. The **Fair Debt Collection Practices Act** [15 USC § 1692 et. seq.] – using *“unfair, abusive and deceptive practices and statements”* to sue the condo Unit Owners for more attorney's fees (33%) than are justified by court order or stated in their June 5, 2023 Letter (25%):
- Inflated attorney's fees.
 - See Pltf. Angel's 'Corrected Bill of Particulars:' p.p.10 – 11; ¶¶ 1 – 8 and 12-13.
 - See also 'Bill of Particulars' from other Plaintiffs.
- B. The Debt-collector's Lien recorded against the Bassetts' property reflects inflated attorney's fees: *“Attorney's fees of 33 %,”* contrary to the amount stated in the Debt-collector's Letter (25%).
- **Lien:** a certified copy of the Plaintiffs' *“Release of Lien”* is attached, to verify *“inflated attorney's fees.”* (see **Attached Certified Lien**).

CONCLUSION

WHEREFORE, by the authority of the Federal Rules of Civil Procedure and laws of the United States, this Court is justified in permitting this amendment. Thus, leave to amend should be liberally granted in furtherance of the ends of justice.

Affidavit Declaration

28 USC § 1746 Unsworn Declarations under Penalty of Perjury

We swear (affirm) under penalty of perjury that the statements made in this 1st Motion to Amend 'Notice of Removal of Action(s)' [Affidavit] are true and correct to the best of our knowledge.

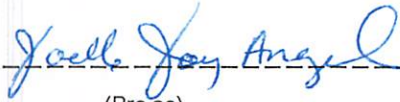
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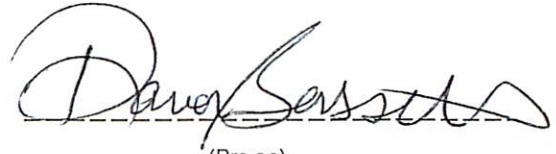
Respectfully Submitted, this 2nd day of February, A.D. (Year of our LORD) 2024.

By



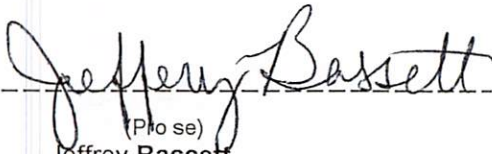
(Pro se)

Joelle Joy **Angel**
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Portsmouth, VA 23701
(434) 532-2682



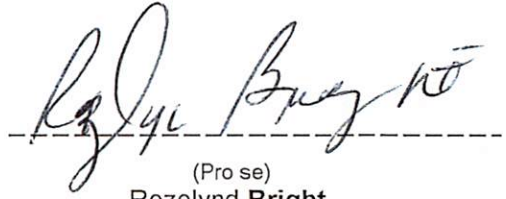
(Pro se)

Dana **Bassett**
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(757) 636-5059



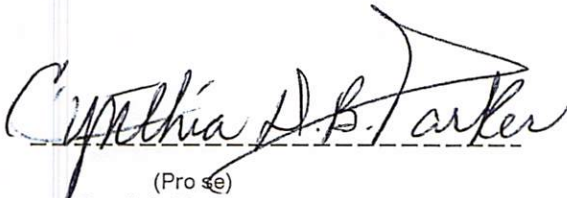
(Pro se)

Jeffrey **Bassett**
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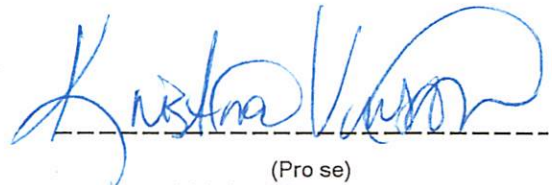
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(Pro se)

Cynthia **Parker**
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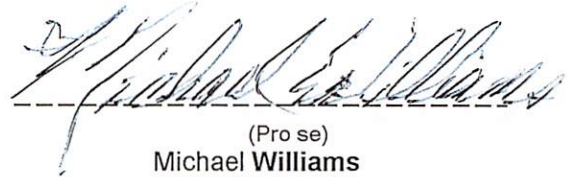
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Kristina **Vinson**
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(Pro se)

Samuel **Ward**
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(757) 465-2332



(Pro se)

Michael **Williams**
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Portsmouth, VA 23701
(757) 690-3269

 X Plaintiffs

 Plaintiffs' Attorney

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Ghostwriting Certificate

We certify that we did not receive help from an attorney (on this earth) in preparing this document,
only *GOD the righteous Judge*. (Psalm 7:11; John 7:24).

Certificate of Service

We certify that a copy of the Plaintiffs' 1st Amendment to Notice of Removal of Action(s) [Affidavit] was delivered to the Clerk of Court. A voluntary (not required) copy will be filed in State court.

We certify that a copy of the Plaintiffs' 1st Amendment to Notice of Removal of Action(s) [Affidavit] will be electronically delivered to the Defendants or Counsel for Defendants:

Brynne Davies-Hackenberg, Esq.
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for: - Charlestowne Condo Association
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for: AMAG, LLC.

Atlantic Community Management, Corp.
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Virginia Beach, Va. 23462
Phil@atlanticmgt.com

this 2nd day of February, A.D. (Year of our LORD) 2024

By Joelle Joy Angel

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1631 Darren Circle
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(434) 532-2682

 X Plaintiffs Plaintiffs' Attorney

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